

MEMORANDUM TO  
THE HONORABLE FREDERIC BLOCK  
SENIOR UNITED STATES DISTRICT JUDGE

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ AUG 13 2008

BROOKLYN OFFICE

RE: DENISE WILLIAMS  
DOCKET #: 08-CR-04

The Probation Department submits this memorandum to apprise Your Honor of the status of the above-captioned case, and to respectfully ask the Court for guidance as to how to proceed.

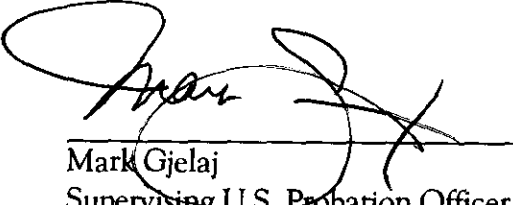
On May 21, 2008, the defendant pleaded guilty before Magistrate Judge Kiyo A. Matsumoto to Conspiracy to Import Heroin, in violation of 21 U.S.C. § 963. At that time, the Court ordered that a presentence report be prepared.

However, the Probation Department has been advised by the Pretrial Services Agency that as result of her drug dependance, the defendant was admitted to a 24-hour, residential drug treatment program on July 9, 2008. The program generally consists of a treatment process which lasts between 12 and 18 months, depending on the individual's treatment program and progress. Consequently, we write to ask Your Honor whether the presentence investigation should be held in abeyance.

The Probation Department's initial concern relates to the short period of time which the defendant has been undergoing drug treatment, and whether she should be afforded an opportunity to sufficiently integrate into the program. Moreover, although her progress in the program would likely be a factor in determining the appropriate sentence in this case, and should be incorporated into the presentence report, it is entirely too premature to evaluate her progress. Lastly, information (personal or otherwise) either disclosed to, or discovered by, the Probation Department during the presentence investigation may have to be supplemented, given the time that will elapse between the date of the presentence interview and the sentencing (which, depending upon the defendant's progress, could be more than a year).

Therefore, we respectfully request guidance from the Court as to whether we should proceed with the presentence investigation or hold the investigation in abeyance until the defendant successfully completes or withdraws from the residential drug treatment program.

RESPECTFULLY SUBMITTED,  
TONY GAROPPOLO  
CHIEF U.S. PROBATION OFFICER



Mark Gjela  
Supervising U.S. Probation Officer  
347-534-3743

July 16, 2008

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Re: Denise Williams

☒ Proceed with the presentence investigation

☒ Hold the case in abeyance until the defendant successfully completes or withdraws from the residential drug treatment program.

☐ Other

Special Instructions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

s/FB

The Honorable Frederic Block  
Senior United States District Judge

Aug. 11, 2008  
Date